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PATENT
Attorney Docket 040750-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Ivan Gout *et al.***)
)
Application No. **09/762,258**) Group Art Unit: **1652**
)
Filed: **May 29, 2001**) Examiner: **Delia M. Ramirez**
)
For: **Identification and functional characterization of**)
 a novel ribosomal S6 protein kinase)

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, **Mail Stop AF**
Crystal Plaza, Lobby, Room 1B03
Arlington, VA 22202

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is a Response and Amendment Under 37 C.F.R. 1.116 responding to the Office Action dated March 22, 2004.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. If Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	79	minus	84	0	at \$18 each =	00.00
Independent Claims	2	minus	19	0	at \$86 each =	00.00
First presentation of Multiple dependent claim					\$290.00	00.00
SUB-TOTAL =						00.00
Reduction by 1/2 for filing by a small entity						- 00.00
TOTAL FEES =						\$00.00

- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This

paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **June 22, 2004**

Morgan, Lewis & Bockius LLP

Customer No. **09629**

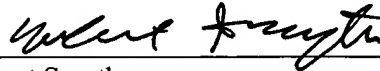
1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

202-739-3000

Respectfully submitted,

Morgan, Lewis & Bockius LLP

A handwritten signature in cursive script, appearing to read "Robert Smyth", is written over a horizontal line.

Robert Smyth

Registration No. 50,801



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RESPONSE AND AMENDMENT UNDER 37 C.F.R. 1.116

In response to the Final Office Action dated March 22, 2004, please amend the above-referenced application as follows:

Amendments to the Claims begin on page 2 of this paper.
Remarks begin on page 6 of this paper.